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10 Attorneys for the  
United States of America

11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
16 v.  
17 CHARLES BARRETT,  
18 Defendant.

CASE NO. 1:22-cr-00213-JAM-BAM

**STIPULATION AND ORDER FOR  
SEALED TRANSCRIPTS**

COURT: Hon. John A. Mendez

**STIPULATION**

21 Plaintiff United States of America, by and through its counsel of record, Arin C. Heinz  
22 and Michael G. Tierney, and defendant, by and through counsel for defendant, Mr. Donald B.  
23 Marks, agree as follows:

24 1. There are sealed transcripts of proceedings from two motion hearings held on July 12,  
25 2023, and August 8, 2023. The proceedings were sealed as required under Federal Rule of  
26 Evidence (FRE) 412. FRE 412(c) provides “unless the court orders otherwise, the motion, related  
27 materials, and the record of the hearing must be and remain sealed.”

28 2. In the interest of complying with FRE 412, the parties request that the Court allow the

1 sealed transcripts to be produced to the government and appellate defense counsel for the limited  
2 purpose of Mr. Barrett's pending appeal. In light of the sensitive information discussed during  
3 these sealed hearings, the parties further agree to the following protections for the transcripts:

4       3. The sealed transcripts will not be posted to the public docket. However, the  
5 government and appellate defense counsel will be provided with the transcripts of the sealed  
6 proceedings for both hearing dates.

7       4. Both parties will store the transcripts in a secure place and will use reasonable care to  
8 ensure that it is not disclosed to third parties in violation of this agreement.

9       5. Defense Counsel shall be responsible for advising the Defendant, employees, and other  
10 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

11       6. Defense Counsel will not provide Mr. Barrett with a copy of the sealed transcripts but  
12 can discuss the contents of the hearing with Mr. Barrett to prepare for the pending appeal.

13 Respectfully submitted,

14 PHILLP A. TALBERT  
15 United States Attorney

16 DATED: July 15, 2024

17 By:/s/ ARIN C. HEINZ  
18 Arin C. Heinz  
Michael G. Tierney  
Assistant United States Attorneys

19 Dated: July 15, 2024

20 By: /s/ DONALD B. MARKS  
21 DONALD B. MARKS  
22 Attorney for Charles Barrett

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4                   IN THE UNITED STATES DISTRICT COURT  
5                   FOR THE EASTERN DISTRICT OF CALIFORNIA  
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7                   UNITED STATES OF AMERICA,  
8                   Plaintiff,  
9                   v.  
10                  CHARLES BARRETT,  
11                  Defendant.  
12

CASE NO. 1:22-cr-00213-JAM-BAM

13  
14                  **ORDER REGARDING SEALED  
15                  TRANSCRIPTS**

16                  COURT: Hon. John A. Mendez

17                  The Court has reviewed and considered the stipulation of the parties that was filed on  
18                  July 15, 2024.

19                  IT IS HEREBY ORDERED that the government and appellate defense counsel be  
20                  provided copies of the sealed transcripts for hearings held on July 12, 2023, and August 8, 2023.  
21                  The transcripts will **REMAIN SEALED** from the public. The protections stipulated by the  
22                  parties are hereby ordered pursuant to Federal Rule of Evidence 412.

23                  IT IS SO ORDERED.

24                  Dated: July 15, 2024

25                  /s/ John A. Mendez

26                  THE HONORABLE JOHN A. MENDEZ  
27                  SENIOR UNITED STATES DISTRICT JUDGE